O 3 0 2004 LES

IfW

PTO/SB/21 (02-04)

7		U.S. Patent and Trademai	ed for use through 07/31/2006. OMB 0651-0031 tk Office: U.S. DEPARTMENT OF COMMERCE			
Under the Paperwork Reduction Act of 1995, no person	ns are required to res	pond to a collection of informat Application Number				
TO ANIONAITT A		Filing Date	10/809761			
TRANSMITT <i>A</i>	\L		March 25, 2004			
FORM		First Named Inventor	Charles R. Stewart			
(to be used for all correspondence after in	nitial filing)	Art Unit	N/A			
		Examiner Name	Not Yet Assigned			
Total Number of Pages in This Submission	on	Attorney Docket Numbe	61683-00004USPT			
ENC	CLOSURES	(Check all that appl	y)			
Fee Transmittal Form Fee Attached Amendment/Reply	Drawing(s) Licensing-related Papers Petition		After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
After Final	Petition to Convert to a Provisional Application		Proprietary Information			
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address		Status Letter			
Extension of Time Request	Terminal Disclaimer		X Other Enclosure(s) (please identify below):			
Express Abandonment Request	Nequest for Neturia		Postcard 47 References			
x Information Disclosure Statement	CD, Number	of CD(s)	Certificate of Mailing			
Certified Copy of Priority Document(s)						
Response to Missing Parts/ Incomplete Application	Remarks					
Response to Missing Parts under 37 CFR 1.52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
	or Tamsen Valoir Ph D					
Signature // // // // Signature	<u>ر</u>					
Date July 27, 2004						

	July 27, 2004
	that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in Idressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: July 27,	2004 Signature: SuSan B. Jensen)
HOUSTON 3122	80v1 61683-00004USPT



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the

Dated: July 27, 2004 Signature:

Docket No.: 61683-00004USPT

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Charles R. Stewart et al.

Application No.: 10/809761

Confirmation No.: @@@

Filed: March 25, 2004

Art Unit: N/A

For:

ANTIMICROBIAL PROTEINS FROM THE

Examiner: Not Yet Assigned

SPO1 BACTERIOPHAGE

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing Application No.: 10/809761 Docket No.: 61683-00004USPT

of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 10-0447, under Order No. 61683-00004USPT.

Dated: July 27, 2004

By / / / / (

Respectfully submitted

Tamsen Valoir, Ph.D. Registration No.: 41,417

JENKENS & GILCHRIST, A PROFESSIONAL

CORPORATION

5 Houston Center

1401 McKinney, Suite 2700

Houston, Texas 77010

(713) 951-3381

(713) 951-3314 Facsimile

Attorneys For Applicant

PATENTA THE MAN

PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO

1

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number 10/809761

Filing Date March 25, 2004

First Named Inventor Charles R. Stewart

Art Unit N/A

Examiner Name Not Yet Assigned

Attorney Docket Number 61683-00004USPT

U.S. PATENT DOCUMENTS					
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number-Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	1	20010026795A1	10/04/2001	Merril et al.	
	2	20010043924Aaa1	11/22/2001	Carlton et al.	

2

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁸ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that !ssued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No. ¹								
	3	Air E.L., et al.(2002) Nature Med. 8:179-183.							
	4	Andrade-Gordon P. et al. (1999) Proc. Natl. Acad. Sci. U.S. 96:12257-12262							
	5	Dedonder, R.A., et al. (1977) Appl. Environ. Mirobiol. 33: 989-993.							
·	6	Fotsch, C., et al. (2003) Bioorganic & Medicinal Chemistry Letters 13: 2337-40.							
	7	Gadek, T.R., et al. (2002) Science 295: 1086-9.							
	8	Greene, J.R., et al. (1982) J. Virol. 41: 715-20.	П						
	9	Greene, J.R., et al. (1984) Proc. Natl. Acad. Sci. USA 81: 7031-5.	\Box						
	10	Hendrickson W.A., et al. (1997) In Methods in Enzymology. 276: 494-522	Т						
	11	Pedulla M.L., et al. (2003) Corrected Sequence of the Bacteriophage P22 Genome. 185: 1475-77.							
	12	Ireton, K., et al. (1993) Genes & Dev. 7: 283-94.	T						
	13	Kim, L., et al. (1996) Gene 181: 71-6.	T						
	14	Kobayashi, K., et al. (2003) Proc. Natl. Acad. Sci. USA 100: 4678-83.							
	15	Legrain, P. (2002) Nature Biotechnology 20: 128-9.	1						
	16	Malys, N., et al. (2002) J. Mol. Biol. 319: 289-04.	1						
	17	Martin L., et al. (2003) Nature Biotech. 21:71-76	T						
	18	Miyazaki K., et al. (2000) J. Mol. Biol. 297:1015-1026	Т						
	19	Noirot-Gros, M.F., et al. (2002) Proc. Natl. Acad. Sci. U.S.A. 99: 8342-8347.	Т						
	20	Ohkanda, J., et al. (2001) Bioorganic & Medicinal Chemistry Letters 11: 761-764.	Τ						
	21	Okubo, S., et al. (1972) Biken J. 15: 81-97.	Τ						
	22	Salvemini D., et al. (1999) Science 286:304-306	T						
	23	Salvemini, D., et al. (2002) Nature Reviews 1: 367-74.	Т						
	24	Sayers, J.R. (1996) Meth. Enz. 275: 227-38.	Т						
	25	Scarlato, V., and S. Gargano (1992) Gene 118: 109-113.	Т						
	26	Scott, J.K. (2001) in "Phage Display" C.F. Barbas, et al. (eds.) Cold Spring Harbor Laboratory							
		Press, Cold Spring Harbor, New York. pp. 4.1-4.13.							
	27	Shamoo, Y., (1995) Nature 376: 362-6.	T						
	28	Shamoo Y., et. al. (1997) Nat. Struc. Biol. 4:215-222	Т						
	29	Shamoo, Y., and T.A. Steitz. (1999) Cell 99: 155-166.	I						
Examiner Signature		Date Considered							

PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete if Known			
					Application Number	10/809761	
INFORMATION DISCLOSURE				SCLOSURE	Filing Date	March 25, 2004	
S	TATE	MENT E	BY A	APPLICANT	First Named Inventor	Charles R. Stewart	
					Art Unit	N/A	
	(Us	e as many sh	eets as	necessary)	Examiner Name	Not Yet Assigned	
Sheet		2	of	2	Attorney Docket Number	61683-00004USPT	
	30	Spee J.H.,	et al. ((1993) Nucleic Acids Re	es. 21:777-778		
	31			. (2001) Bioorganic and		etters 11: 2951-4	
	32			93) in <i>Bacillus subtilis</i> a lick, eds. American Soc		re bacteria (A. Sonenshein, J.A. pp. 813-829	
	33	Stewart C.R., et al.(1998) Virology 246:3					
	34	Stewart C.R. (1999) SPO1 Phage (Myov Webster, R.G., and Granoff, A., eds.) pp				lia of Virology (2nd Edition,	
	35	Stewart, C.R. et al. (Aug. 8-13, 2001) In Abstracts of the Fourteenth Evergreen International Phage Biology Meeting.					
	36	36 Tatusova, T.A. & T.L. Madden (1999) FE				74: 247-50.	
	37	Tian S.S., et al. (1998) Science 281:257			-259		
	38	Vandeyar, M.A., and S. A. Zahler (1986) J. Bacteriol. 167: 530-4.					
	39			86) J. Mol. Biol. 191: 39			
	40	Wei P. & Stewart C.R. (1993) A cytotoxic ea Bacteriol. 175(24):7887-900					
	41	Wei P. & Stewart C.R. (1995) Genes that protect against the host-killing activity of the E3 protein of Bacillus subtilis bacteriophage SPO1, J. Bacteriol. 177, 2933-2937					
	42	Willats, W.G.T. (2002) Plant Molecular Biology 50: 837-54.					
	43	Wrighton, N., and D. Gearing (1999) Nature Biotech. 17: 1157-8.					
	44	Duckworth, D. et all, "Bacteriophages: potential treatment for bacterial infections", BioDrugs 2002;16(1):57-62					
	45	Cudic, M. et al., "Intracellular targets of antibacterial peptides", Curr Drug Targets 2002 Apr;3(2):101-6.					
	46	Sadler, K. et al., "Translocating proline-rich peptides from the antimicrobial peptide bactenecin 7", Biochemistry 2002 Dec 3;41(48):14150-7.					
	47			Therapy: Bacteriophac		The state of the s	<u> </u>
	http://www.evergreen.edu/phage/phaget					24	

Examiner	Date
Signature	Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.



Application No. (if known): 10/809761

Attorney Docket No.: 61683-00004USPT

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on 7/27/04

Signature

Typed or printed name of person signing Certificat

note:

Each paper must have its own certificate of mailing, or this certificate must identify

each submitted paper.

IDS Citation

Information Disclosure Statement

Transmittal Letter 47 References

Postcard

Certificate of Mailing